

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Case # 1:17-cv-12462-WGY

ANNA V. KASHPER, individually, and as mother and next  
friend of Three Minors and as personal representative of the  
ESTATE OF KONSTANTIN  
M. KASHPER,

Plaintiff,

VS.

TOYOTA MOTOR SALES, U.S.A., INC.;  
TOYOTA MOTOR CORPORATION;  
ENTERPRISE FM TRUST; ENTERPRISE FLEET MANAGEMENT; JOHN DOE 1; JOHN DOE 2  
and JOHN DOE 3,

Defendants.

**KASHPER PLAINTIFFS EX-PARTE MOTION TO FILE THREE AFFIDAVITS OF EXHIBITS THAT ARE INCLUDED  
IN THE OPPOSITION AND STATEMENT OF MATERIAL FACTS, BUT DUE TO INADVERTENCE OF MISTAKE  
NOT FILED WITH STATEMENT OF MATERIAL FACTS**

Kashper plaintiffs move to file three affidavits that were by inadvertence or mistake not filed as exhibits with the Statement of Material Facts. All three affidavits are written out in entirety as part of the text of the Opposition and also in the Statement of Material Facts. So, this filing is not adding anything new to the opposition package. The three are Konstantin Vaysband, Slava Gliksberg, and Leon Bouriev and the signed affidavits are attached.

Kashper plaintiffs by their attorney,



Marc S Alpert, BBO#016420  
Marc S Alpert, P.C.  
15 Court Square, #940  
Boston, MA 02108-2524  
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E-mail: [trepla2380@juno.com](mailto:trepla2380@juno.com), [marcalpert2015@gmail.com](mailto:marcalpert2015@gmail.com)

Certificate of service: I certify that in addition to the automatic service on all those who have filed an appearance, a copy of this is being e-mailed to David M. Rogers.



Rule 7.1 Certificate

Eight days prior to filing an almost identical copy of this was forwarded by e-mail with the request to advise if Defendant wished to conference. There has been no response.



Affidavit of Leon Bouriev

My name is Leon Bouriev. Konstantin Kashper and I were friends since about 1995 until his death in January 2017. We have been good friends since high school. From about 1995 to sometime in January 2017, I have been on average at least once a week in a moving motor vehicle in which Konstantin was either the driver or a passenger. The last time was about the week before Konstantin Kashper's death when we went together to a car show. Konstantin Kashper always, absolutely always, wore a seatbelt. His wife's Anna's description of Konstantin Kashper being a fanatic about wearing seatbelts is correct.

Signed under the pains and penalties of perjury this                      day of January 2019.

A handwritten signature in dark ink, appearing to be 'Leon Bouriev', is written over a horizontal line.



**Affidavit of Slava Glikberg**

My name is Slava Glikberg. Konstantin Kashper and I were best friends in high school and into adult hood. I have been countless times in a moving vehicle in which Konstantin was either the driver or a passenger. The last time we were in a motor vehicle together was a few years before Konstantin's death. Konstantin Kashper always, absolutely always, wore a seatbelt.

Signed under the pains and penalties or perjury this day 6th of January 2019.

Slava Glikberg



**Affidavit of Slava Glikberg**

My name is Slava Glikberg. Konstantin Kashper and I were best friends in high school and into adult hood. I have been countless times in a moving vehicle in which Konstantin was either the driver or a passenger. The last time we were in a motor vehicle together was a few years before Konstantin's death. Konstantin Kashper always, absolutely always, wore a seatbelt.

Signed under the pains and penalties or perjury this day 6th of January 2019.

Slava Glikberg



**Affidavit of Konstantin Vaysband**

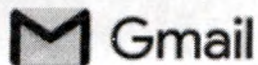
**My name is Konstantin Vaysband. Anna Kashper is my sister. Konstantin Kashper was my brother-in-law. I have been in a moving motor vehicle many times in which Konstantin Kashper was either a passenger of the driver. The last time Konstantin Kashper and I were in a motor vehicle together was about a month or so before Konstantin Kashper died. Konstantin Kashper always, absolutely always, wore a seatbelt.**

Signed under the pains and penalties of perjury this

*1<sup>st</sup>* day of *January* 2019.

*m*





Marc Alpert <marcalpert2015@gmail.com>

(no subject)

1 message

Marc Alpert <marcalpert2015@gmail.com>

Mon, Jan 21, 2019 at 9:17 PM

To: "Lantry, Jacob J." <JLantry@campbell-trial-lawyers.com>, "Rogers, David M." <drovers@campbell-trial-lawyers.com>, Richard Denney <rdenney@dennbarr.com>

Bcc: Anna Kashper <avkashper@gmail.com>, Dmitry Burshteyn <dmitry@myperfectdental.com>

Here is a motion I intend to file. Plan is still to settle, but want to correct this anyhow. Please advise if you want to conference.

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FOR THE DISTRICT OF MASSACHUSETTS

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Kashper plaintiffs by their attorney,

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